

Marion T. Hack (SB #179216)
marion.hack@troutman.com
Luke Nicholas Eaton (SB #280387)
Luke.eaton@troutman.com
William Taylor (*admitted pro hac vice*)
William.taylor@troutman.com
TROUTMAN PEPPER HAMILTON SANDERS LLP
350 South Grand Avenue, Suite 3400
Los Angeles, CA 90071
Telephone: 213.928.9800
Facsimile: 213.928.9850

Attorneys for
AECOM Technical Services, Inc.

Aaron R. Gruber (SB #209509)
agruber@rallsgruber.com
Dylan J. Crosby (SB #299536)
dcrosby@rallsgruber.com
Ralls Gruber & Niece LLP
1700 S. El Camino Real, Suite 150
Dan Mateo, CA 94402
Telephone: 650.445.0543
Facsimile: 650.240.2250

Attorneys for
Pacific Gas and Electric Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

JH KELLY, LLC

Plaintiff,

vs.

AECOM TECHNICAL SERVICES, INC., et al.

Defendant.

Case No. 4:20-cv-05381-HSG (Lead Case)

(Reference withdrawn from Bankruptcy Case No. 19-30088, Adv. Proc. No. 20-03019 and Adv. Proc. No. 19-03008)

(Consolidated with Case No. 3:20-cv-08463-EMC)

**[PROPOSED] ORDER ON
STIPULATED REQUEST TO
MODIFY BRIEFING SCHEDULE
ON PG&E'S AMENDED MOTION
TO DISMISS/STRIKE RE: AECOM'S
SECOND AMENDED COUNTER-
CLAIM [DKT NO. 69]**

1 Pursuant to Civil L.R. 6-2, AECOM Technical Services (“AECOM”), and Pacific Gas and
2 Electric Company (“PG&E”) (collectively, the “Parties”) jointly seek an order of the Court to
3 modify the briefing schedule for PG&E’s Amended Motion to Dismiss/Strike re: AECOM’s
4 Second Amended Counterclaim.

5 The Parties, through their respective counsel, stipulate as follows:

6 WHEREAS, on August 9, 2021, PG&E filed its Motion to Dismiss/Strike re: AECOM’s
7 Second Amended Counterclaim [Dkt. No. 67], setting a hearing date of November 18, 2021;

8 WHEREAS, on August 17, 2021, PG&E filed its Amended Motion to Dismiss/Strike re:
9 AECOM’s Second Amended Counterclaim [Dkt. No. 69], setting a hearing date of November 4,
10 2021;

11 WHEREAS, per the Federal Rules of Civil Procedure, the last day for AECOM to file
12 AECOM’s Response to PG&E’s Amended Motion to Dismiss/Strike re: AECOM’s Second
13 Amended Counterclaim is August 31, 2021;

14 WHEREAS, per the Federal Rules of Civil Procedure, the last day for PG&E to file
15 PG&E’s Reply to AECOM’s Response to PG&E’s Amended Motion to Dismiss/Strike re:
16 AECOM’s Second Amended Counterclaim is September 7, 2021;

17 WHEREAS, the Parties wish to focus their time and resources on discovery and
18 depositions in the coming months;

19 WHEREAS, there have been no previous time modifications in this case related to
20 PG&E’s Amended Motion to Dismiss/Strike re: AECOM’s Second Amended Counterclaim, but
21 there have been three (3) other brief time modifications in the case by stipulation of the Parties;

22 WHEREAS, the reason for requesting the enlargement of time related to PG&E’s
23 Amended Motion to Dismiss/Strike re: AECOM’s Second Amended Counterclaim is so that the
24 Parties may conserve resources and time to focus on key depositions of witnesses related to the
25 Parties’ claims;

26 WHEREAS, the requested time modification will not impact the schedule for the case.

27 NOW THEREFORE, in consideration of the foregoing, the Parties, by and through their
28 respective counsel, hereby STIPULATE and AGREE as follows:

[PROPOSED] ORDER ON STIPULATED REQUEST TO MODIFY BRIEFING SCHEDULE

1 1. AECOM's deadline to file its Response to PG&E's Amended Motion to Dismiss/Strike
2 re: AECOM's Second Amended Counterclaim is continued from August 31, 2021 to September
3 17, 2021;

4 2. PG&E's deadline to file its Reply to AECOM's Response to PG&E's Amended Motion
5 to Dismiss is continued from September 7, 2021 to October 1, 2021;

6 3. The hearing date for PG&E's Amended Motion to Dismiss shall remain on
7 November 4, 2021.

8 4. By entering into this Stipulation, the Parties do not waive, and expressly preserve any
9 and all rights and defenses.

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11 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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13 DATED: _____, 2021

14 By: _____
15 HAYWOOD S. GILLIAM, JR.
16 United States District Judge
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